UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

07 CV 3597

COLUMBIA PICTURES INDUSTRIES, INC., SONY PICTURES RELEASING CORPORATION, SONY PICTURES HOME ENTERTAINMENT INC., and MARVEL CHARACTERS, INC.

JUDGE SNAN

Plaintiffs,

COMPLAINT

- against -

JOHN and JANE DOE Nos. 1 through 100, and XYZ Company Nos. 1 through 100,

Defendants.

MAY 0 4 2007

Plaintiffs, by their attorneys, Moses & Singer LLP, respectfully allege as follows:

NATURE OF THE ACTION

- 1. This is an action arising out of the unauthorized importation, manufacture, distribution, sale and commercial exploitation of counterfeit copies of Plaintiffs' copyrighted and trademark-protected motion pictures including but not limited to, "Spider-Man 3").
- 2. The claims in this action are for copyright infringement, trademark infringement including counterfeiting, unfair competition and unjust enrichment.

FACTS COMMON TO ALL CLAIMS

PARTIES

3. Plaintiff Columbia Pictures Industries, Inc. ("Columbia") is a Delaware corporation with a principal place of business at 10202 West Washington Boulevard, Culver City, California. Columbia is indirectly owned by Sony Pictures Entertainment Inc., which is a

wholly-owned subsidiary of Sony Corporation. Columbia is in the business, inter alia, of producing motion pictures.

- 4. Sony Pictures Releasing Corporation ("SPR") is a Delaware corporation with a principal place of business at 10202 West Washington Boulevard, Culver City, California. SPR is the exclusive United States theatrical distributor of motion pictures produced by Columbia, including Spider-Man 3.
- 5. Sony Pictures Home Entertainment Inc. ("SPHE") is a Delaware corporation with a principal place of business at 10202 West Washington Boulevard, Culver City, California. SPHE is the exclusive home entertainment distributor of DVD and Blu-ray Disc copies of motion pictures produced by Columbia, including Spider-Man 3.
 - 6. SPR and SPHE are collectively referred to herein as "Sony."
- 7. Marvel Characters, Inc. ("Marvel") is a Delaware corporation with a principal place of business at 9242 Beverly Boulevard, Suite 350, Beverly Hills, California 90210.
- 8. Defendants John and Jane Doe Nos. 1 through 100 and XYZ Company Nos. 1 through 100 are persons and entities, the identity of which are not yet known to Plaintiffs, that have without license or other authority, imported, manufactured, distributed, exhibited, offered for sale, sold or otherwise commercially exploited the motion pictures that are the subject of this action or who are vicariously or contributorily liable for such unlawful exploitation.

JURISDICTION AND VENUE

- 9. This Court has subject matter jurisdiction over this action based upon 28 U.S.C. §§1331 and 1338(a), and 15 U.S.C. §1121(a).
 - 10. Venue is proper in this Court pursuant to 28 U.S.C. §§1391(b) and 1400(a).

PLAINTIFFS' OWNERSHIP OF COPYRIGHTS AND TRADEMARKS IN SPIDER-MAN 3

- 11. In 2007, Columbia released Spider-Man 3, an original motion picture, which is copyrightable subject matter under the Copyright Act, 17 U.S.C. § 101 et seq.
- 12. Columbia pre-registered its copyright in Spider-Man 3 (the "Spider-Man 3 Copyright") pursuant to 17 U.S.C. §408(f) on or about August 28, 2006. A copy of the confirmation of pre-registration is annexed hereto as Exhibit 1.
- 13. Columbia has complied in all respects with the provisions of the Copyright Act for the pre-registration of the Spider-Man 3 Copyright, which pre-registration is in full force and effect.
- 14. On or about May 1, 2007, Columbia filed an application, on an expedited basis, to register its copyright in Spider-Man 3 with the U.S. Copyright Office pursuant to 17 U.S.C § 409. A copy of the filing receipt issued by the Copyright Office for this application is also annexed hereto as part of Exhibit 2.
- 15. Marvel has a trademark registered with the U.S. Patent and Trademark Office in the name "Spider-Man" for use in connection with entertainment services rendered through the mediums of television and film exhibitions (the "Spider-Man Trademark"). A copy of the Spider-Man Trademark and its federal trademark registration number are attached as Exhibit 3. In addition, Marvel has significant common law trademark rights in the Spider-Man name and character that extend beyond the uses specified in the federal registration.
- 16. The character Spider-Man is famous and distinctive and products bearing its name and likeness are sold throughout the United States and internationally. The Spider-Man Trademark is a famous and distinctive trademark.
- 17. Marvel has complied in all respects with the provisions of the Lanham Act for the registration of the Spider-Man Trademark, which registration is in full force and effect.

- 18. Under license from Marvel, Columbia owns the exclusive right to use the Spider-Man Trademark in connection with three motion pictures produced by Columbia using the Spider-Man character (the "Spider-Man Motion Pictures") including the distribution of copies of Spider-Man 3.
- 19. Columbia has registered trademarks with the U.S. Patent and Trademark Office in the name "Columbia Pictures" and in its familiar logo of a statue of a woman on a pedestal holding a torch, surrounded by clouds (the "Lady and Clouds Logo Mark"), both of which are used in connection with the production, distribution, promotion and packaging of motion pictures (collectively, the "Columbia Trademarks"). The federal trademark registration numbers of the Columbia Trademarks are listed in Exhibit 4.
- 20. Columbia has complied in all respects with the provisions of the Lanham Act for the registration of the Columbia Trademarks, which registrations are in full force and effect.
- 21. Columbia products are widely distributed throughout the United States and internationally. The Columbia Trademarks are famous and distinctive trademarks.

PLAINTIFF'S OWNERSHIP OF COPYRIGHTS AND TRADEMARKS IN OTHER MOTION PICTURES

- 22. Columbia and Sony have released a number of other original motion pictures, which are copyrightable subject matter under the U.S. Copyright Act (the "Columbia/Sony Motion Pictures").
- 23. Columbia and Sony own copyrights in the Columbia/Sony Motion Pictures (the "Columbia/Sony Copyrights").
- 24. Columbia and Sony have registered their copyrights in the Columbia/Sony Motion Pictures. A list of the titles of the Columbia/Sony Motion Pictures and copies of the corresponding certificates of copyright registration are attached as Exhibit 5.

25. Columbia and Sony have complied in all respects with the provisions of the Copyright Act for the registration of copyrights in the Columbia/Sony Motion Pictures, which registrations are in full force and effect.

DEFENDANTS' UNLAWFUL ACTIONS

- 26. During the period May 1-3, 2007, Spider-Man 3 was released for theatrical exhibition in certain countries outside of the United States.
- 27. On or about May 4, 2007, Spider-Man 3 will be released for theatrical exhibition in the United States.
- 28. On or before May 4, 2007, the Defendants began and still continue the unauthorized importation, manufacture, distribution, exhibition, offering for sale, sale or other commercial exploitation of Spider-Man 3 in the United States and other countries.
- 29. Before May 1, 2007, the Columbia/Sony Motion Pictures were released for theatrical exhibition in the United States.
- 30. Before May 1, 2007, Defendants began and still continue the unauthorized importation, manufacture, distribution, exhibition, offering for sale, sale or other commercial exploitation of the Columbia/Sony Motion Pictures in the United States and other countries.
- 31. The infringing and counterfeit copies of Spider-Man 3 and the Columbia/Sony Motion Pictures are generally recorded in theaters using hand-held recording equipment, and these recordings are transferred to a home computer where a "master-recording" is made. In such cases the "master-recording" would typically be sold to illicit source labs to be illegally duplicated, packaged and prepared for sale on the streets in DVD-R format.

- 32. Spider-Man 3 has not yet been authorized for theatrical release or home entertainment distribution in the United States. Therefore, any copies of Spider-Man 3 on any disc format at this time are unauthorized and unlawful.
- 33. The infringing and counterfeit copies of Spider-Man 3 imported, manufactured, distributed, exhibited, offered for sale, sold or otherwise commercially exploited by Defendants contain, are wrapped in packaging using, or are otherwise distributed in connection with the Columbia Trademarks and/or the Spider-Man Trademark, all without Plaintiffs' consent.
- 34. The infringing and counterfeit copies of the Columbia/Sony Motion Pictures imported, manufactured, distributed, exhibited, offered for sale, sold or otherwise commercially exploited by Defendants contain, are wrapped in packaging using or are otherwise distributed in connection with the Columbia Trademarks, all without Plaintiffs' consent.
- 35. The unauthorized importation, manufacture, distribution, exhibition, offering for sale, sale or other commercial exploitation of Spider-Man 3 and the Columbia/Sony Motion Pictures by Defendants before and after the theatrical and/or video sale and rental release of the motion pictures for exhibition in the United States will substantially diminish the number of tickets sold for lawful exhibitions of Spider-Man 3 and the Columbia/Sony Motion Pictures and the resultant negative attention and publicity attracted by Defendants' infringements will further substantially diminish the number of tickets sold for lawful exhibitions of Spider-Man 3 and the Columbia/Sony Motion Pictures, as well as the future sales and rentals of lawful copies of each of these motion pictures in DVD and other video formats.
- 36. The unlawful copies of Spider-Man 3 and the Columbia/Sony Motion Pictures imported, manufactured, distributed, exhibited, offered for sale, sold and otherwise exploited by Defendants are of a quality that is inferior to the copies of the motion pictures lawfully exhibited

and distributed by Plaintiffs. The resultant negative attention and publicity attracted by

Defendants' infringement will diminish the reputation of Spider-Man 3 and the Columbia/Sony

Motion Pictures, as well as of Columbia, Sony and Marvel, and will reduce the revenues

associated with Spider-Man 3, the Columbia/Sony Motion Pictures and with other Columbia,

Sony and Marvel products and services. In addition to diminishing Plaintiffs' revenues,

Defendants' unlawful conduct has injured and will continue to injure Plaintiffs' commercial

credibility with distributors and customers, and will inhibit their ability to finance the future

production of motion pictures, thereby affecting Plaintiffs' future economic growth.

- 37. The unlawful copies of Spider-Man 3 and the Columbia/Sony Motion Pictures marketed and sold by Defendants are frequently mislabeled and actually contain unlawful copies of other motion pictures. This practice causes great confusion to Plaintiffs' customers and diminishes the movie-going public's interest in movie franchises such as the Spider-Man Motion Pictures, and as a result causes Plaintiffs incalculable damages through lost revenue.
- 38. Plaintiffs are entitled to recover from Defendants the damages sustained by Plaintiffs as a result of Defendants' acts of copyright and trademark infringement, together with Defendants' profits, the statutory damages provided by both the Copyright Act and the Lanham Act, Plaintiffs' counsel fees and the costs of this action. Plaintiffs are not yet able to ascertain the full extent of the gains, profits and advantages Defendants have obtained and will continue to obtain, or the damages Plaintiff has suffered and will continue to suffer, by reason of Defendants' unlawful acts of infringement (collectively "Plaintiffs' Damages").
- 39. Upon information and belief, Defendants are and will be without the resources needed to pay Plaintiffs' Damages or have concealed or will conceal their resources to avoid

paying Plaintiffs' Damages once they are aware that this action has been commenced against them.

- 40. Unless enjoined and restrained, Defendants' conduct threatens to further infringe Plaintiffs' copyright and trademark rights and interests in Spider-Man 3.
- 41. Unless enjoined and restrained, Defendants' conduct threatens to further infringe Plaintiffs' copyright and trademark rights and interests in the Columbia/Sony Motion Pictures.
- 42. Irreparable harm to Plaintiff is imminent and continuing as a result of Defendants' aforesaid conduct, and Plaintiffs are without an adequate remedy at law.

FIRST CLAIM (COPYRIGHT INFRINGEMENT)

- 43. Columbia owns the Spider-Man 3 Copyright, under which copyright Sony holds certain exclusive rights, and Columbia and Sony own the Columbia/Sony Copyrights, as aforesaid.
- 44. Defendants have been and are continuing the unauthorized importation, manufacture, distribution, exhibition, offering for sale, sale or other commercial exploitation of the motion pictures in which Plaintiffs own copyrights, as aforesaid.
- 45. By reason of the foregoing, Defendants have infringed and are continuing to infringe Plaintiffs' rights under the Spider-Man 3 Copyright and the Columbia/Sony Motion Pictures Copyrights, or are vicariously or contributorily liable for the same.

SECOND CLAIM (FEDERAL TRADEMARK INFRINGEMENT)

- 46. Marvel owns the Spider-Man Trademark and Columbia owns the Columbia Trademarks and certain exclusive rights under the Spider-Man Trademark.
- 47. Defendants have been and are continuing the unauthorized importation, manufacture, distribution, exhibition, offering for sale, sale or other commercial exploitation of

aforesaid.

motion pictures in connection with the Spider-Man Trademark and the Columbia Trademarks, as

- 48. Defendants' acts as aforesaid have caused and will cause a likelihood of confusion as to the source, origin and sponsorship of such motion pictures.
- 49. By reason of the foregoing, Defendants have infringed and are continuing to infringe Columbia's rights under the Columbia Trademarks and the rights of Marvel and Columbia under the Spider-Man Trademark, or are vicariously or contributorily liable for the same.

THIRD CLAIM (FEDERAL TRADEMARK COUNTERFEITING)

- 50. Defendants have been and are continuing the unauthorized importation, manufacture, distribution, exhibition, offering for sale, sale or other commercial exploitation of motion pictures in connection with the Columbia Trademarks and the Spider-Man Trademark, as aforesaid.
- 51. By reason of the foregoing, Defendants have used and are continuing to use counterfeit marks, namely, the Columbia Trademarks and the Spider-Man Trademark in connection with the sale, offering for sale, or distribution of goods within the meaning of 15 U.S.C. §1116(d), or are vicariously or contributorily liable for the same.

FOURTH CLAIM (FEDERAL UNFAIR COMPETITION)

52. Defendants' importation, manufacture, distribution, exhibition, offering for sale, sale or other commercial exploitation of the aforesaid illegal and infringing copies of Spider-Man 3, and of the Columbia/Sony Motion Pictures, in connection with the Columbia Trademarks and the Spider-Man Trademark, as aforesaid, constitute the application of a false designation of origin to their goods.

- 53. Defendants' acts as aforesaid have caused and will cause a likelihood of confusion as to the source, origin and sponsorship of such goods.
- 54. By reason of the foregoing, Defendants are applying a false designation of origin to their goods within the meaning of 15 U.S.C. §1125(a), or are vicariously or contributorily liable for the same.

FIFTH CLAIM (STATE TRADEMARK INFRINGEMENT)

- 55. Marvel owns the Spider-Man Trademark and Columbia owns the Columbia Trademarks and certain exclusive rights under the Spider-Man Trademark, as aforesaid.
- 56. Defendants have been and are continuing the unauthorized importation. manufacture, distribution, exhibition, offering for sale, sale or other commercial exploitation of motion pictures in connection with the Columbia Trademarks and the Spider-Man Trademark, as aforesaid.
- 57. Defendants' acts as aforesaid have caused and will cause a likelihood of confusion as to the source, origin and sponsorship of such motion pictures.
- 58. By reason of the foregoing, Defendants have infringed and are continuing to infringe Plaintiffs' rights in the Columbia Trademarks and the Spider-Man Trademark under state law, or are vicariously or contributorily liable for the same.

SIXTH CLAIM (STATE UNFAIR COMPETITION)

59. Defendants' importation, manufacture, distribution, exhibition, offering for sale, sale or other commercial exploitation of the aforesaid illegal and infringing copies of Spider-Man 3, and of the Columbia/Sony Motion Pictures, in connection with the Columbia Trademarks and the Spider-Man Trademark, as aforesaid, constitute the passing off of Defendants' goods as those of Plaintiffs.

- 60. Defendants' acts as aforesaid have caused and will cause a likelihood of confusion as to the source, origin and sponsorship of such goods.
- 61. By reason of the foregoing, Defendants have unfairly competed and are continuing to unfairly compete with Plaintiffs under state law, or are vicariously or contributorily liable for the same.

SEVENTH CLAIM (UNJUST ENRICHMENT)

- 62. Defendants are deriving revenue, money and other economic gain from the importation, manufacture, distribution, exhibition, offering for sale, sale or other commercial exploitation of the aforesaid illegal and infringing copies of Spider-Man 3, and of the Columbia/Sony Motion Pictures
- 63. It is against equity and good conscience to permit Defendants to retain their illegal profits and gains.
- 64. By reason of the foregoing, Defendants have been and are being unjustly enriched at Plaintiffs' expense.

WHEREFORE, Plaintiffs pray as follows:

- 1. For a preliminary and permanent injunction
- (a) enjoining Defendants and all persons acting in concert with them from importing, manufacturing, reproducing, distributing, displaying, exhibiting, advertising, promoting, offering for sale and/or selling any material which infringes the Spider-Man 3 Copyright, the Columbia/Sony Motion Picture Copyrights, the Columbia Trademarks, the Spider-Man Trademark and any of Plaintiffs' other copyrights and trademarks, and
 - (b) ordering the ex parte seizure of

(i) all infringing copies and phonorecords, all plates, molds, matrices, masters, tapes, film negatives or other articles by means of which such copies or phonorecords may be reproduced, and all electronic, mechanical or other devices for manufacturing, reproducing or assembling such copies or phonorecords, and

Document 1

- (ii) all counterfeit goods and marks and the means of making such goods and marks, and records documenting the manufacture, distribution, sale, or receipt of things involved in such violation, and
- all monies, funds or other forms of remuneration, in the currency (iii) of the United States or any other country which is found in the possession of Defendants or any of their agents, associates or other operatives, and
- (c) ordering Defendants and all persons acting in concert with them and to deliver to the Court for destruction or other reasonable disposition all materials and means for producing infringing or counterfeit goods or other materials in Defendants' possession or control.
- 2. Under the First Claim, for Plaintiffs' Damages in an amount in to be determined at trial, plus interest, or alternatively, for statutory damages as prescribed by the Copyright Act, as Plaintiffs may elect.
- 3. Under the Second, Third and Fourth Claims, for Plaintiffs' Damages in an amount to be determined at trial, that amount to be trebled pursuant to 15 U.S.C. §1117, plus interest, or alternatively, for statutory damages as prescribed by the Lanham Act, as Plaintiffs may elect.
- 4. Under the Fifth and Sixth Claims, for Plaintiffs' Damages in an amount in an amount to be determined at trial, plus punitive damages.

- Under the First, Second, Third, Fourth, Fifth, Sixth and Seventh Claims, for an 5. order directing Defendants to disgorge all profits, gains, revenue or other benefit received or derived from the sale of Spider-Man 3 and the Columbia/Sony Motion Pictures.
 - For Plaintiffs' reasonable attorneys' fees and the costs of this action. 6.
 - For such other and further relief as the Court deems just and proper. 7.

Dated: May 4, 2007

New York, New York

MOSES & SINGER LLP

Attorneys for Plaintiff

By:

W. Drew Kastner (WK-7251)

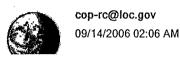
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(212) 554-7700 (facsimile)



To: kathleen_marshall@spe.sony.com

CC:

Subject: Notification from the Electronic Copyright Office (eCO) system

This is to notify you that:

Preregistration has been completed for the work Spider-Man 3 under the number PRE000000271. Below you will find a full summary of the contents of this preregistration record as it exists within the Copyright Office records.

This Notification provides a copy of required information in the Office's formal and permanent record of the preregistration of this claim. This Notification is not the equivalent of a certificate of registration, which is provided for in section 410(c) of the copyright law.

Please be advised that preregistration is not a substitute for registration, but is a preliminary step prior to a full registration that should take place after the work has been published or infringed. Failure to complete registration within the earlier of 3 months after the first publication of the work or 1 month after you have learned of an infringement will deprive you of important rights and remedies under the copyright law. For more information see Section 408(f) of the copyright law.

When you complete the application for full registration, be sure to give the preregistration number PRE000000271 in space 5 to enable the two records for the particular work to be cross-referenced.

Preregistration Number: PRE000000271

Effective Date of Preregistration: 08/28/2006

Class(es) of Work: Motion Picture

Title: Spider-Man 3

Additional Title(s):

Author(s): Columbia Pictures Industries, Inc.

Claimant(s):

Columbia Pictures Industries, Inc. 10202 W. Washington Blvd., SPP, Suite 1006, Culver City, CA, 90232

Description of the work: Directed by: Sam Raimi. Cast: Tobey Maguire, Kirsten Dunst, James Franco, Thomas Haden Church, Topher Grace. Locations: Los Angeles, California, New York, New York. Second sequel to the 2002 hit SPIDERMAN, which was based on the Marvel comic. Peter Parker must face new challenges as the elusive superhero Spider-Man in this third installment.

Date on which creation commenced: 01/16/2006 (Approximately)

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May 1, 2007

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Item Detail:

SPIDER-MAN 3 - motion picture

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Additional Information: Deposit copy includes seven (7) reels of 35mm film, a digital press kit and ehanced audio disk.

For further information or questions, please contact: See space 7

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Int. Cl.: 41

Prior U.S. Cl.: 107

United States Patent and Trademark Office

Reg. No. 1,163,134 Registered Jul. 28, 1981

SERVICE MARK Principal Register

SPIDER-MAN

Cadence Industries Corporation (Delaware corporation), a.k.a. Marvel Comics Group 575 Madison Ave.
New York, N.Y. 10022

For: ENTERTAINMENT SERVICES RENDERED THROUGH THE MEDIUMS OF TELEVISION AND FILM EXHIBITIONS, in CLASS 41 (U.S. Cl. 107).

First use 1966; in commerce 1966.

Owner of U.S. Reg. Nos. 885,910, 959,887 and 1,042,642.

Ser. No. 240,050, filed Nov. 21, 1979.

H. M. FISHER, Primary Examiner

United States Patent Office

976,848

Registered Jan. 15, 1974

PRINCIPAL REGISTER Trademark Service Mark

Ser. No. 441,192, filed Nov. 15, 1972

COLUMBIA PICTURES

Columbia Pictures Industries, Inc. (Delaware corporation)
711 5th Ave.
New York, N.Y. 10022

For: MOTION PICTURES, in CLASS 38 (INT. CL 6).

First use as early as 1961; in commerce as early as 1961. For: RENTAL OF MOTION PICTURE PRODUC-TION EQUIPMENT, in CLASS 107 (INT. CL. 41).

First use at least as early as Mar. 1, 1970; in commerce at least as early as Mar. 1, 1970.

Applicant disclaims exclusive rights in the word "Pictures," apart from the mark as shown.

Owner of Reg. Nos. 344,799, 831,999, and others.

Int. Cls.: 9 and 41

Prior U.S. Cls.: 21, 36, 38 and 107

United States Patent and Trademark Office Reg. No. 1,888,250 Reg. No. 1,888,250

TRADEMARK SERVICE MARK PRINCIPAL REGISTER



COLUMBIA PICTURES INDUSTRIES, INC. (DELAWARE CORPORATION)
10202 W. WASHINGTON BOULEVARD
CULVER CITY, CA 90232

FOR: MOTION PICTURE FILM, PRERE-CORDED VIDEO CASSETTES, VIDEO DISCS AND LASER DISCS FEATURING FULL LENGTH MOTION PICTURES FOR GENERAL RELEASE; PRERECORDED AUDIO TAPES, DISCS AND CASSETTES FEATURING MUSICAL AND SPOKEN PERFORMANCES; AND DIGITAL, ANALOG AND MICROCHIP BASED STORAGE AND/OR RETRIEVAL DEVICES IN THE NATURE OF COMPUTER AND VIDEO EQUIPMENT IN FILM, DISC AND CASSETTE FORMATS FEATURING FULL LENGTH MOTION PICTURES, IN CLASS 9 (U.S. CLS. 21, 36 AND 38).

FIRST USE 5-14-1993; IN COMMERCE 5-14-1993.

FOR: ENTERTAINMENT SERVICES IN THE NATURE OF THE PRODUCTION AND DISTRIBUTION OF MOTION PICTURE FILMS; THE

PRODUCTION AND DISTRIBUTION OF TELE-VISION PROGRAMS FOR OTHERS AND THE PRODUCTION OF PRERECORDED CAS-SETTES, VIDEO DISCS AND LASER DISCS, PRERECORDED AUDIO TAPES, DISCS AND CASSETTES, IN CLASS 41 (U.S. CL. 107).

FIRST USE 1-0-1993; IN COMMERCE 1-0-1993.

OWNER OF U.S. REG. NOS. 344,799, 1,531,335 AND OTHERS.

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SER. NO. 74-406,382, FILED 6-28-1993.

BARBARA S. HUDSON, EXAMINING ATTORNEY

Exhibit 1 Columbia/Sony Motion Pictures

Motion Picture Title	Author	. Theatrical Release Date	Copyright Registration No.	Effective Date of Copyright Registration No.
Wind Chill	Revolution Studios Distribution Company, LLC	April 27, 2007	PRE000000307 (pre-registration no.)	August 23, 2006 (for pre- registration)
Vacancy	Screen Gems, Inc.	April 20, 2007	PRE000000315 (pre-registration no.)	September 29, 2006 (for pre- registration)
Perfect Stranger	Revolution Studios Distribution Company, LLC	April 13, 2007	PA 1-367-905	April 11, 2007
Are We Done Yet?	Revolution Studios Distribution Company, LLC	April 6, 2007	PA 1-367-162	April 04, 2007
Reign Over Me	Columbia Pictures Industries, Inc.	March 23, 2007	PA 1-366-381	March 23, 2007
Premonition	Premonition Pictures, Inc.	March 16, 2007	PA 1-365-091	March 16, 2007
The Messengers	GHP-3 Scarecrow, LLC	February 2, 2007	PA 1-347-823	February 2, 2007

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.

Form PA For a Work of Performing Arts

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cop-rc@loc.gov 10/04/2006 09:47 AM To: kathleen_marshall@spe.sony.com

CC:

Subject: Notification from the Electronic Copyright Office (eCO) system

This is to notify you that:

Preregistration has been completed for the work Wind Chill aka Frostbite under the number PRE000000307. Below you will find a full summary of the contents of this preregistration record as it exists within the Copyright Office records.

This Notification provides a copy of required information in the Office's formal and permanent record of the preregistration of this claim. This Notification is not the equivalent of a certificate of registration, which is provided for in section 410(c) of the copyright law.

Please be advised that preregistration is not a substitute for registration, but is a preliminary step prior to a full registration that should take place after the work has been published or infringed. Failure to complete registration within the earlier of 3 months after the first publication of the work or 1 month after you have learned of an infringement will deprive you of important rights and remedies under the copyright law. For more information see Section 408(f) of the copyright law.

When you complete the application for full registration, be sure to give the preregistration number PRE000000307 in space 5 to enable the two records for the particular work to be cross-referenced.

Preregistration Number: PRE000000307 Effective Date of Preregistration: 08/23/2006

Class(es) of Work: Motion Picture

Title: Wind Chill aka Frostbite

Additional Title(s):

Author(s): Revolution Studios Distribution Company, LLC

Claimant(s):

Revolution Studios Distribution Company, LLC 10202 W. Washington Blvd., SPP, Suite 1006, Culver City, CA, 90232

Description of the work: Directed by: Greg Jacobs. Cast: Emily Blunt, Ashton Blunt.

Two college students share a ride home for the holidays. When they break down on a deserted stretch of road, they're preyed upon by the ghosts of people who have died there.

Date on which creation commenced: 02/02/2006 (Approximate) Date of anticipated completion: 03/17/2006 (Approximate) Date of anticipated publication: 02/02/2007 (Approximate)

Application certified by: Gayle McDonald

[THREAD ID: 1-2RJLQ]

United States Copyright Office

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.

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MAIL TO: Library of Congress Copyright Office 101 Independence Avenue, S.E. Washington, D.C. 20559-6000



cop-rc@loc.gov 10/06/2006 11:56 AM

To: kathleen marshall@spe.sony.com

Subject: Notification from the Electronic Copyright Office (eCO) system

This is to notify you that:

Preregistration has been completed for the work Vacancy under the number PRE000000315. Below you will find a full summary of the contents of this preregistration record as it exists within the Copyright Office records.

This Notification provides a copy of required information in the Office's formal and permanent record of the preregistration of this claim. This Notification is not the equivalent of a certificate of registration, which is provided for in section 410(c) of the copyright law.

Please be advised that preregistration is not a substitute for registration, but is a preliminary step prior to a full registration that should take place after the work has been published or infringed. Failure to complete registration within the earlier of 3 months after the first publication of the work or 1 month after you have learned of an infringement will deprive you of important rights and remedies under the copyright law. For more information see Section 408(f) of the copyright law.

When you complete the application for full registration, be sure to give the preregistration number PRE000000315 in space 5 to enable the two records for the particular work to be cross-referenced.

Preregistration Number: PRE000000315 Effective Date of Preregistration: 09/29/2006

Class(es) of Work: Motion Picture

Title: Vacancy

Additional Title(s):

Author(s): Screen Gems, Inc.

Claimant(s):

Screen Gems, Inc.

10202 W. Washington Blvd., SPP, Suite 106, Culver City, CA, 90232

Description of the work: Director: Nimrod Antal. Cast: Kate Beckinsale, Luke Wilson, Frank Whaley.

A young, married couple get stranded at a desolate motel and discover hidden video cameras in their

room. They soon realize that unless they escape, they'll be the next victims of a snuff film.

Location: Los Angeles, California

Date on which creation commenced: 09/08/2006 (Approximate) Date of anticipated completion: 11/15/2006 (Approximate) Date of anticipated publication: 04/13/2007 (Approximate)

Application certified by: Gayle McDonald

[THREAD ID: 1-2RS5J]

United States Copyright Office



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters
Register of Copyrights, United States of America

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This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

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